

Appl. No. 10/560,710  
Amdt. Dated July 2, 2007  
Reply to Office Action of April 2, 2007

### REMARKS

Claims 2, 4, 8 and 10 to 12 are currently pending in the present application. The Restriction Election filed on January 8, 2007 in the subject application did not elect claim 1, however, the group drawn to an apparatus was elected. Thus, it is requested that claim 1, originally categorized by the Requirement for Restriction of September 5, 2006 as one of the group of claims drawn to an apparatus, be prosecuted. It is also requested that claim 9, apparently inadvertently omitted from restriction groups I and II, be prosecuted. Claim 17, depending from withdrawn claim 9, is withdrawn *with traverse*. Applicants respectfully reserve the right to prosecute the subject matter of non-elected claim 17 in a divisional or other continuing application.

The Specification is objected to for failing to use proper language and format for an Abstract. A new Abstract is submitted herewith. It is respectfully submitted that this Abstract is in proper form.

### OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

Claims 1 and 2 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending U.S. Patent Application No. 10/560,711.

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Claims 1, 2 and 8 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending U.S. Patent Application No. 10/568,437.

A terminal disclaimer was submitted together with the appropriate fee to overcome the obviousness-type double patenting rejections. In view of the terminal disclaimer it is submitted that the rejection under the judicially created doctrine of obviousness-type double patenting has been overcome.

Claims 1, 2 and 8 stand rejected by the Action under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,817,867 to Carr et al. (hereinafter "Carr"). Applicants respectfully submit that Carr does not expressly or inherently disclose all of the elements set forth in independent claim 1. Thus, Carr does not anticipate claim 1 or claims 2 and 8, which depend therefrom.

The present invention relates to a conductive textile interconnect having one or more sockets of a flexible fiber construction that are cooperative with one or more jack connectors. Accordingly, claim 1 claims an interconnect (1), comprising: one or more socket connectors (10) of a flexible textile construction (12); and one or more jack connectors (20), wherein said one or more jack connectors (20) are operatively connectable with said one or more socket connectors (10).

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Carr does not disclose one or more socket connectors of a flexible textile construction. Rather, Carr merely discloses a heated pliable member such as an electric blanket, heating pad, mattress pad, etc., and a connection arrangement for supplying power from a power supply to a wire-type heating element in the pliable member. That is, Carr discloses a heating element that is separate from and *disposed in* the pliable member. Carr fails to disclose socket connectors that themselves are formed of a flexible textile construction, as claimed in claim 1.

Dependent claims 2 and 8 are clearly distinguishable over Carr for at least the reasons discussed with respect to claim 1. Moreover, claims 2 and 8 add further features to claim 1. Claim 2 further claims the interconnect of claim 1, wherein said one or more socket connectors have one or more conductive contact areas. Claim 8 further claims a garment or upholstery (35) having the interconnect (1) of claim 1. Accordingly, the Applicants respectfully submit that the rejections under 35 U.S.C. § 102(b) of claims 1, 2 and 8 should be withdrawn and claims 1, 2 and 8 should be allowed.

Claims 9 and 11 stand rejected by the Action under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,108,301 to Torok et al. (hereinafter "Torok"). Applicants respectfully submit that Torok does not expressly or inherently disclose all of the elements set forth in independent claim 9. Thus, Torok does not anticipate claim 9 or claim 11, which depends therefrom.

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Claim 9 claims an interconnect (1), comprising: a socket (10); and a jack (2) with a concertina-like engaging portion (21) and a body portion (22). The concertina-like engaging portion is defined in the subject specification at page 5, line 20 to page 6, line 6 as having one or more joints 23, two or more segments 24 preferably interconnected by the one or more joints 23, one or more conductive areas 25, and one or more actuators 26 cooperative with the one or more joints 23 and/or the one or more segments 24 to facilitate a concertina type adjusting action. Torok fails to disclose a concertina-like engaging portion having a structure as defined in the subject specification. In fact, Torok simply shows, in Fig. 1, a jack having a flex type action that is described in the specification as a pair of opposed spring metal conductive members mounted to opposite sides of a prong (column 5, lines 34 to 39). The jack of Torok clearly does not have a concertina-like engaging portion. Dependent claim 11 is clearly distinguishable over Torok for at least the reasons discussed with respect to claim 9. Accordingly, the applicants respect that the rejections under 35 U.S.C. § 102(b) of claims 9 and 11 should be withdrawn and claims 9 and 11 should be allowed.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Carr in view of U.S. Patent No. 6,155,882 to Wu et al. (hereinafter "Wu"). As discussed with respect to claim 1, Carr does not disclose one or more socket connectors of a flexible textile construction, as claimed in claim 1. Wu also fails to disclose this feature. Thus, Applicants respectfully submit that Carr and Wu, when combined as suggested by the Action, fail to disclose all elements of independent claim 1, let alone dependent claim 4,

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which additionally claims the interconnect of claim 1, wherein said one or more socket connectors are collapsible so as to be substantially unnoticeable when void.

Claim 10 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carr in view of Torok. Claim 17 is withdrawn, accordingly the rejection of claim 17 is not addressed. Applicants respectfully submit that Carr and Torok, when combined as suggested by the Action, fail to disclose all elements of independent claim 9, let alone dependent claim 10. Specifically, Torok fails to disclose a concertina-like engaging portion having a structure, as claimed in claim 9. Carr also fails to disclose this feature. Thus, Applicants respectfully submit that Carr and Torok, when combined as suggested by the Action, fail to disclose all elements of independent claim 9, let alone dependent claim 10.

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Torok in view of Wu. Applicants respectfully submit Torok fails to disclose all elements of independent claim 9, from which claim 12 depends. The jack of Torok clearly does not have a concertina-like engaging portion. Wu similarly fails to disclose a concertina-like engaging portion. Thus, Applicants respectfully submit that Torok and Wu, when combined as suggested by the Action, fail to disclose all elements of independent claim 9, let alone dependent claim 12.

Applicants therefore request that the rejections under 35 U.S.C. § 103(a) of claims 4, 10 and 12 be withdrawn.

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**Conclusion**

In view of the foregoing, Applicants respectfully submit that the specification, the drawings and all claims presented in this application are currently in condition for allowance. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.


Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

Applicants' representative believes that this response is being filed in a timely manner. In the event that any extension and/or fee is required for the entry of this amendment the Commissioner is hereby authorized to charge said fee to Deposit Account No. 14-1270. An early and favorable action on the merits is earnestly solicited.

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If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call David Barnes, Esq., Intellectual Property Counsel, Philips North America Corporation at the number below.

Respectfully submitted,

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